IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Tr.P(C).No. 327 of 2006()

OS.147/2004 of MUNSIFF COURT, VADAKARA

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PETITIONER/DEFENDANT

BASHEER AHAMMED.T.P., LAILA MANZIL, ICE ROAD,
VADAKARA-3, KOZHIKODE DISTRICT.

BY ADV. SRI.JOHN JOSEPH (ROY)

RESPONDENTS:

VALIYAPEEDIKAYIL MUHAMMED ALI,
AYANCHERRY DESOM, AYANCHERY AMSOM REP. BY
HIS GUARDIAN AND WIFE SMT.RAMLA, VADAKARA TALUK
KOZHIKODE DISTRICT.

BY //

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

Tr.P.(C) .NO. 327 OF 2006

Dated 21st December 2006

O R D E R

Petitioner is defendant in O.S.147/04 on the file of Munsiff court, Vadakara. This petition is filed to transfer the suit to Munsiff court Payyoli on the allegation that the counsel appearing for respondent/plaintiff and the presiding officer were once juniors to a senior counsel at Calicut. That by itself is not a ground to order transfer. No other circumstance was pointed out to transfer the case. On mere baseless apprehensions no transfer of the case could be ordered. Orders passed by a presiding officer is on interlocutory order which was against one of the parties cannot a valid ground to order transfer at the request of that party. Munsiff had sufficient capacity and integrity to dispose the case untrammelled by any such considerations. I find no ground to order transfer as sought for.

Petition is dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.